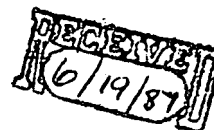


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June 3, 1987

NPL-V6-3-L19-R3

Stephen Lingle, Division Director  
Hazardous Site Evaluation Division  
United States Environmental  
Protection Agency  
401 M Street, S.W.  
Washington, D.C. 20460

Re: Comment for Proposed Listing of Pigeon Point on NPL

Dear Mr. Lingle:

This letter confirms the details of my phone conversation with Ms. Ann Sarno on May 28, 1987. Ms. Sarno suggested that this letter be addressed to you rather than her.

My firm represents the Delaware Solid Waste Authority which manages the Pigeon Point facility, a site proposed for the National Priorities List (NPL) on January 22, 1987. On February 23, 1987 I sent a letter to Russell Wyer, who was then the director of the Hazardous Site Control Division. Enclosed is a copy. As you can see, the letter requests an extension to the deadline for submitting comments on the proposed listing. On March 20, 1987, I received Mr. Wyer's response which I have enclosed. Among other things, the letter states "please be aware that EPA does consider comments received after the close of the comment period, to the extent practicable, prior to promulgation." It also refers questions to Ms. Ann Sarno.

Since receipt of Mr. Wyer's letter, the Delaware Solid Waste Authority has been making its best efforts to prepare its comment. Among other things, the Authority has been investigating to the extent possible the source of the data relied upon by the EPA and its Hazardous Ranking System (HRS). We believe that the EPA will be especially interested in reviewing our comment because some of the data relied upon is clearly unreliable.


On May 28, 1987 I discussed the status of the EPA's review with Ms. Sarno to make sure that our comment will be filed soon enough so that the EPA has an opportunity to fully consider it. Ms. Sarno represented to me that the EPA does not expect to finalize any of the proposed listings which were published in January,

Stephen Lingle, Division Director  
June 3, 1987  
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1987, until January, 1988. Further, she indicated that your division is currently working on an earlier proposed listing and expects soon to begin review of the comments on the proposed listings published in January, 1987. She indicated that she was unable to state exactly when comments would be too late for consideration, but did indicate that comments received by the end of June, 1987, and probably for sometime thereafter, would receive consideration. Further, she said that the EPA would respond to such comments in the support document which becomes available upon announcement of the final regulation.

The Delaware Solid Waste Authority hopes to have its comment filed by the end of June, 1987. Although an earlier submittal would have been possible had the EPA been less flexible, the extra time serves everyone's interest because it allows a more thorough response and enables us to provide the information which needs consideration.

Yours truly,



Jeremy W. Homer

JWH:dgf